

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

TANIA LUCHETTA,

Plaintiff,

v.

Case No: 2:15-cv-364-FtM-38CM

DYCK-O'NEAL, INC. and LAW  
OFFICES OF DANIEL C.  
CONSUEGRA, P.L.,

Defendants.

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**ORDER**<sup>1</sup>

This matter comes before the Court on the Plaintiff, Tania Luchetta's Notice of Voluntary Dismissal with Prejudice ([Doc. #8](#)) filed on August 28, 2015. [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)](#), allows a plaintiff to dismiss a case without a court order. The

Rule reads in pertinent part:

Subject to Rules 23(e), 23.1, 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

A notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or

A stipulation of dismissal signed by all parties who have appeared.

[Fed. R. Civ. P. 41\(a\)\(1\)\(A\)](#).

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<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.


In this instance, the Plaintiff informs the Court that she voluntarily dismisses the Complaint with prejudice. No answer or summary judgment has been filed, therefore; the case is due to be dismissed with prejudice.

Accordingly, it is now

**ORDERED:**

The Plaintiff, Tania Luchetta's Notice of Voluntary Dismissal with Prejudice ([Doc. #8](#)) is **GRANTED**. The case is hereby **DISMISSED**. The Clerk of the Court is directed to enter judgment accordingly, terminate all pending motions and deadlines and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 1st day of September, 2015.

  
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SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record